

**Board of Public Works Meeting
Meeting Minutes
August 22, 2019**

A meeting of the Board of Public Works was held on Thursday, August 22, 2019, at 5:30 p.m. in the Auditorium at City Hall, 229 Main Street, Nashua, NH 03060.

Mayor Donchess, Chair, declared the meeting to order at 5:30 p.m. and called the roll.

Members Present:

Commissioner Joel Ackerman, Vice Chair
Commissioner Tracy Pappas
Commissioner Kevin S. Moriarty
Commissioner G. Frank Teas

Members Excused:

Mayor James Donchess, Chair

Also Present:

Ms. Lisa Fauteux, Director, Division of Public Works
Mr. Jeff Lafleur, Superintendent of Solid Waste
Mr. Bill Keating, Wastewater Project Engineer
Mr. Nick Caggiano, Superintendent of Parks & Recreation
Mr. Pete Kohalmi, Deputy City Engineer
Alderman Ernest A. Jette, Aldermanic Liaison

MOTION: Commission Moriarty made a motion to approve the agenda as presented.

MOTION CARRIED: Unanimously

Approval of Meeting Minutes – July 30, 2019

MOTION: Commissioner Moriarty to approve the minutes from the Special Board of Public Works Meeting of July 30, 2019.

MOTION CARRIED: Unanimously

Public Comment

There was no public comment.

Solid Waste Department

A. MOTION: Commissioner Moriarty to approve a contract with SCS Field Services of Reston, VA, to construct an expansion of the landfill gas collection system in the Phase I/II landfill in the amount of \$323,470. Funding will be

through Department 168 Solid Waste; Fund: Bond; Activity: Landfill Gas Expansion FY19.

Discussion:

Commissioner Pappas

Can we please have a brief explanation?

Mr. Jeff Lafleur, Superintendent of Solid Waste

This is our annual gas expansion for the landfill to help control the odors. This one is a little bit unique because we have to do it right away because when we do our ground emissions readings we have 150 days to resolve those. We've asked for an extension and by the time this one is done our extension would be up so we would be fulfilling that requirement by DES.

MOTION CARRIED: Unanimously

- B. MOTION:** Commissioner Teas to approve Change Order #1 to the contract with Charter Contracting Company, LLC of Boston, MA, in an amount not-to-exceed \$175,000 for the construction of the Phase III Landfill. Funding will be through Department: 168 Solid Waste; Fund: Bond; Activity: Phase III Landfill.

Discussion:

Mr. Lafleur

The bulk of this change order is coming from delays from DES. We sent in our application and they were running a little bit late on that. It went a little bit longer than we thought by 30 days. We got all of the approvals but Charter had planned on doing a certain amount of work within those thirty days and they didn't get to do it until we got the approval from DES.

MOTION CARRIED: Unanimously

- C. Discussion:** Penalties associated with violating Solid Waste Policy

Director Fauteux

We had a pretty good discussion at our last Recycling Committee meeting. We are very concerned that we are receiving materials from outside of Nashua. Landfill space is getting tighter and tighter both here in New Hampshire, Massachusetts as well as other areas. There are many states who have moratoriums on landfills including Massachusetts and Maine. It's getting more difficult and more expensive to dispose of materials. We felt we should put some controls in place to do whatever we can to prevent that from happening. Some of the things that we are doing is we are requiring, as we always have, we are watching permits very closely and we have another scale operator who has helped a lot with that. We are asking drivers to disclose the contents of their loads and also provide an address from where in Nashua the material is coming from. If they don't know where the

material is coming from in Nashua then they are turned away. If they come back with an address, we are not only documenting that but we are checking the loads. We are now checking all loads that are not trash and we are documenting that on the certified weigh ticket. We are randomly spot-checking three loads daily which can become a little bit complicated because sometimes a company will have a warehouse in Massachusetts and one in Nashua so they are transferring product back and forth so there could be boxes that have Massachusetts addresses. It's important that we bring the company in and question them when we come across something like that.

Commissioner Pappas

Can you give me an example of something that "is not trash?"

Director Fauteux

It's mostly construction and demolition debris.

Commissioner Pappas

So we can think of making a very expensive dump or we could get rid of the construction and demolition debris altogether.

Director Fauteux

A few Recycling Committee meetings ago the Board had decided to increase the C&D cost from \$90 to \$200 per ton. Attorney Clarke is working on crafting legislation to do that. We were hoping just to totally re-write the rules for solid waste but that's turning out to be more complicated than we thought because there is a strong connection to the Charter. The Mayor and Alderman Jette have agreed to sponsor that legislation to at least address the C&D immediately. That should be going before the Board of Aldermen soon.

Commissioner Pappas

I am wondering if we can put something in that legislation that we would be able to increase the C&D or just get rid of it altogether? We don't want to seem anti-business but it looks like this is starting to become a real problem.

Director Fauteux

I am concerned as well.

Commissioner Pappas

If it's just that piece of the legislation, can we have a little bit more leeway as to whether we can increase that particular fee or just get rid of the C&D altogether?

Director Fauteux

Let me ask Attorney Clarke that question. My goal was to not have any prices in the ordinance at all and allow it to be at the discretion of the Board of Public Works. Apparently, it's a little bit more complicated than that because of the Charter. I am not sure if the Charter states that the Board of Public Works has that authority. I think it was delegated from the Board of Aldermen in ordinance to the Board of Public Works so it's a little bit complicated to change.

Commissioner Pappas

There is also the option to ban it given our landfill situation right now.

Director Fauteux

Okay, I'll ask her those questions.

Commissioner Ackerman

Director, what is your thought process relative to penalties? Would there be a fine and/or a ban if somebody violated it?

Director Fauteux

I had mentioned that we are spot-checking three loads randomly and we are also not allowing any private containers to be stored at the landfill anymore which had been a practice which was done for years. We also have an employee every Saturday that is at the gate checking permits and you would be amazed at how many people we are catching just by doing that. You will see people turning around before they even get to the landfill when they see somebody there. The other thing that we notice is when we have the manual gate, people knew that the scale closed and they were sneaking in the outbound gate. Now that we have the electric gate that will help too because people can get out but they can't get in after the scales close. The Board also voted to add an additional landfill CEO (Collection Equipment Operator) instead of an operator and that will help because that will be somebody else in the landfill and in the recycling. That is essentially someone who drives a trash truck. Additionally, we have a camera now and the scale operators will be able to see in the load but that's not always effective because oftentimes the loads are covered but when they are not they will be able to see in the load and capture the information. We are open to other suggestions but as you can see, we are trying to do whatever we can to make sure that only materials from Nashua enter the recycling center and landfill. My intent is to send out a letter to all commercial customers once the Board decides what the penalty should be.

Commissioner Pappas

Will we have a Recycling Committee meeting before this is put through to the Board of Aldermen?

Director Fauteux

Before the C&D legislation? We certainly could.

Commissioner Pappas

I would love to get the specifics before we go ahead if that's okay.

Director Fauteux

Why don't I bring the proposed legislation to the Recycling Committee meeting before it goes to the Board of Aldermen?

Commissioner Pappas

That would be great, thank you.

Mr. Lafleur

If we find someone who is bringing in stuff that isn't supposed to be coming in from another town; the first offense might be two months of a permit suspension, a second offense might go up to six months suspension and that will hit them in the pocketbook if they are doing things illegally. The third offense would result in losing the permit indefinitely or until they can prove that they are only doing stuff within Nashua. I think we can discuss it at our next Recycling Committee meeting.

Commissioner Pappas

Just in case we forget between now and the Recycling Committee meeting, if we have those options available then another one I would include is with each offense that we might put it before the Board of Public Works. I don't know what the legalities are of listing a company name or at the very least to say "X" company has been...

Director Fauteux

We would have to do that in a non-public session.

Mr. Lafleur

I don't want to walk around with a little trash badge. I'm the officer but I am going to have to have the authority to be able to pull a permit and not wait for it to come to the Board of Public Works and then do it. We want to do it immediately.

Director Fauteux

I think what Commissioner Pappas is saying is that she just wants to be notified.

Commissioner Pappas

Just in public session to say we have...if we can't say the name of the company, if that's what legal says, we have pulled a privilege from "X" just so others are aware. It's not about us overriding you.

Mr. Lafleur

It's not that you are overriding me, you guys are the Board. I just want to be able to do this. I really don't think that this is going to happen very often once they find out and are notified of this. Once they lose the privileges of the landfill, that's their livelihood, I mean where else are they going to go? I think we will see that it's going to turn around. Ever since we started doing these spot-checks, there has been a lot less flow coming into the landfill.

Director Fauteux

And if we send them a letter telling them that we are pulling their permit that's public information and that could be included in the packet. I think it falls under the Right-to-Know law.

Alderman Jette

Can I just suggest that before you ask for this to be adopted by the Board of Aldermen that you do some kind of a survey as to what other landfills...

Mr. Lafleur

We are kind of unique. We are one of the only municipal landfills around. Everyone else takes public stuff in. We are the only landfill in New Hampshire that takes only city trash from their city. Everyone else takes it for a profit and we don't. We want to conserve air space.

Alderman Jette

Okay, but there must be other landfills in the country that have a similar problem and have penalties that they impose.

Mr. Lafleur

We can look into it.

Director Fauteux

We are actually very unique in that sense because most landfills are for profit. It's very rare to see a municipal landfill of this size. I don't know of any. It's rare and part of it is because these landfills are very valuable. The city was very wise to keep the landfill and not privatize it and keep it for their benefit. We have another 50 years now that we control the future of our waste stream. I think it would take a lot of effort to try to find something similar because most of them are privately owned.

Commissioner Pappas

I agree we need to do something short-term but long-term I know that we sometimes rely on money that we get from private haulers but if the space is that valuable, in the future we might want to say if it is feasible for us to continue to take outside trash. I think it's good for us to meet in committee to discuss various departments.

Director Fauteux

I think it's likely that we will catch some haulers bringing in trash, there have already been a few incidents. We need some guidance from the Board as to what penalties should be imposed.

Commissioner Pappas

Do you need that tonight? I thought we were going to have another Recycling Committee meeting before we impose this, is that correct?

Director Fauteux

What would be your guidance if we catch people tomorrow?

Commissioner Pappas

I think temporarily we start with this and see how it works out, that's my personal view but I think we should take a vote. I thought on an interim basis we could do this because I thought it had to go through legal.

Director Fauteux

The Board of Public Works has the authority to impose penalties. Fines are a little bit more complicated.

Mr. Lafleur

I think the ordinance actually states that you can fine \$20.00 and revoke their permit.

Director Fauteux

However, it doesn't mention the timeframe, how long do you revoke a permit. That's why we are just suggesting we start off with two months.

Mr. Lafleur

I've been telling a couple of customers that I've put on hold that they are on hold until further notice. I could do that but does that mean one month or two months; they are wondering how long they are on hold for.

MOTION: Commissioner Pappas to approve the suggested penalties set forth by Superintendent Lafleur and Director Fauteux pending the creation of a permanent policy. [First offense - two-month penalty; second offense - six-month penalty and third offense - indefinite ban.]

Discussion:

Commissioner Moriarty

Superintendent Lafleur, I was just curious how you came up with the two-month initial penalty.

Mr. Lafleur

It was just random. Ultimately, it's up to the Board of Public Works how you want to do it.

Commissioner Moriarty

Oftentimes, the police department would give you a warning on the first offense and then hit you with a stiff penalty so I was just curious.

Mr. Lafleur

We could do that for sure.

Director Fauteux

I feel like the warning will be the letter that I send out to everyone saying this is what's going to happen. If you are caught bringing material from outside of Nashua, you will lose your permit for two months on the first offense.

Commissioner Moriarty

Correct, but you also presently have people on hold who haven't been warned.

Mr. Lafleur

Yes, and those are in a grey area. It's a very complex thing for me to say that this material is coming from out-of-town. For instance, I have a truck come in today with demo in it but there was one garbage bag in it. The garbage bag came out of the truck, my driver got out and opened it up. He found mail from Derry. Did the whole load come from Derry or did someone go by and toss a bag in there? It's going to be a difficult thing for me to say "you brought this in from Derry." What I would do is contact the hauler and say "listen, we found stuff from Derry in there and that's unacceptable." Then I would go check the address that it came from to make sure there was construction being done there.

Director Fauteux

All of these haulers have commercial permits and they know full well that they are not to bring any materials in from outside of Nashua. It's not like they don't know.

Mr. Lafleur

I sent certified letters out last January of 2018 to everyone who was a commercial customer stating we accept Nashua trash only and we would be spot-checking. This will be a second warning to them when the Director says “these are what the fines are.”

Director Fauteux

Since we’ve been doing this, we’ve seen certain haulers, and I won’t mention any names, go from bringing in five or six loads to one load per day. People were really taken advantage.

Mr. Lafleur

We just want something in writing that is voted on so I can say “yup, this is the way it is.”

Commissioner Teas

It is always difficult to monitor but let’s say Bob Smith of Smith Demo is found guilty of bringing in a load from Derry. Are we penalizing Bob Smith or are penalizing Smith Demo? He could go and change his corporate name on the internet and be bringing stuff back the next day. How do we monitor that?

Director Fauteux

That’s tough. Whosever name the permit was on is who you would penalize. You are right though, but that’s tough.

Commissioner Teas

So would the penalty go to Smith Demo and related officers?

Commissioner Ackerman

How long is the process to secure a new permit?

Mr. Lafleur

All they have to do is come in with a registration of the vehicle and buy a commercial permit.

Commissioner Teas

So maybe it’s the vehicle that we say cannot come onto the premise as well as the person.

Mr. Lafleur

It’s just very tough to monitor.

Director Fauteux

We could certainly say anybody associated with but we may not always know. We are not doing a legal search of anybody.

Mr. Lafleur

You have to be careful with that because let's say one of the big-name brand trash trucks comes in...are we associating their entire company with this fine or the on truck that came in? You have to be careful with the fines in that way. There's a lot to think about and there's a lot of moving pieces.

Commissioner Pappas

I think for us to do this temporarily is not a bad thing and I think we need to let them know that we are not fooling around. That's one of the things that we tried to hash out at the Recycling Committee meeting last winter. I was all for banning C&D and others said we might look anti-business but I think we can't be anti-taxpayer so that's my opinion. I really like doing those workshops where we can roll up our sleeves and get our business done but I don't want to leave the Superintendent and the Director stuck with no punishment while we are sorting this stuff out because I think it might take a little bit.

MOTION CARRIED: Unanimously

Wastewater Department

A. MOTION: Commissioner Pappas to approve the User Warrants as presented.
MOTION CARRIED: Unanimously

B. MOTION: Commissioner Pappas to approve the contract with JB Safety, Inc. of Kerrville, TX, in an amount not-to-exceed \$136,400 for coating of the digester gas tank. Funding will be through: Department: 169 Wastewater; Fund: Wastewater, Wastewater-Digester-Gas Tank Coating.

Discussion:

Mr. Bill Keating, Wastewater Project Engineer

I am filling in for Mr. David Boucher, Superintendent of Wastewater who couldn't make it tonight. This project is to coat our gas tank which holds the digester gas. It was built in 2000 and it's never been worked on or had maintenance on coatings and things like that. It needs a coating and we are going to upgrade the tank in a subsequent project but the first step is to coat it. We hoped to have bids from four coating contractors but unfortunately only one bid on it and I checked their references and they seem like a very good company. They do much bigger projects than this so I think we have a good contractor to do this work.

MOTION CARRIED: Unanimously

Parks & Recreation

A. MOTION: Commissioner Pappas to approve the purchase of roadside and trail mowing services from the low bidder Kohl Farms of Chelmsford, MA, for an amount not-to-exceed \$24,000. Funding for this purchase will be from Department: 177 Parks and Recreation; Funds General and Trust; Account Category: Professional Services \$20,000; Department; 169 Wastewater; Fund: Wastewater; Account Category: 55 Other Purchased Services \$4,000.

Discussion:

Commissioner Teas

My recollection was that anything under \$25,000 didn't need to come to the Board of Public Works for approval.

Director Fauteux

Yes, that's correct, we didn't need to bring this.

Commissioner Pappas

I was just curious as to why we are spending \$4,000 from wastewater.

Mr. Nick Caggiano, Superintendent of Parks & Recreation

The Wastewater Department is responsible for maintaining the levy along the Merrimack River. I manage the mowing but they fund it.

Commissioner Ackerman

I know this is for trails and not everything is the City of Nashua trails but running along the parkway I saw quite a bit of growth. It's not a trail but it is a sidewalk. Are there any plans to do any of that? Is this part of that?

Mr. Caggiano

Yes, it is.

Director Fauteux

I think some of the confusion here is that this is a trust and the Board recently voted that we don't need to bring anything relating to a trust to the Board. Next time we will catch that.

MOTION CARRIED: Unanimously

Engineering Department

A. MOTION: Commissioner Teas to approve the Residential and Commercial Wastewater Service Permits and Fees as submitted.

MOTION CARRIED: Unanimously

B. MOTION: Commissioner Moriarty to approve a contract for Monica Drive Drainage Improvement Project with RWC Enterprise for the amount not-to-exceed \$129,900. Funding will be through Department: 169 Wastewater; Fund: Wastewater; Activity: Stormwater Abatement.

MOTION CARRIED: Unanimously

C. MOTION: Commissioner Moriarty to approve the engineering consultant contract to Hazen of Manchester, NH, to update the CSO long-term control plan in an amount not-to-exceed \$487,760. Funding for this contract will be through Department: 169 Wastewater; Fund: Wastewater; Activity: Consent Decree Operational.

Discussion:

Mr. Pete Kohalmi, Deputy City Engineer

This is a contract with a consultant called Hazen to update a long-term CSO control plan. The plan was first put into effect in the late '90s. It is part of the EPA's Clean Water Act. Recently the EPA has started asking for more, they want the plan updated and they are looking to see what else the city can do to clean up their combined sewer overflows. This contract is for a comprehensive plan through Hazen.

Commissioner Moriarty

Moving forward on this project, they going to look for suggestions as to how we can improve the water quality and I'm just wondering what your opinion is on that because we have already decided it would be too costly to separate the two and the other option would be storage and we seem to be maxed out during the storms and the third would be to increase chlorination or chemicals. What is your opinion on those?

Director Fauteux

Peter is not as involved with this as some of us are. The city decided years ago to go the CSO route including building the wet weather facility, which is kind of like a large CSO, although we are treating the material better than most CSO's. We are still having CSO discharges and our wet weather facility has not really come up to speed. It's not handling the flow that we need it to handle. Dave is working right now on installing some new screens and bar-racks that will take the material off the screen so it will flow better. We think we are getting very close to getting wet weather operating and taking the flow that it needs to. We have an agreement with the EPA that once that is up and running at full capacity then we need to see if we are still having CSO discharges and then EPA will

require us to separate in those areas where we are still having discharges. That is our plan. The city has taken a strong position in saying to the EPA that we really can't evaluate the effectiveness of our CSO Program until the wet weather facility is operating at full capacity and they have agreed to that. We are working towards that right now but I think that's where we are headed. Manchester, years ago, decided to separate all of their sewerage, although they do have discharges; in fact, they have far more discharges into the Merrimack than we do from CSO's. There was an article in the Union Leader that said Lowell and Manchester are the largest contributors to CSO discharges in the Merrimack River. We are hoping once wet weather is handling the flow there should be far fewer CSO discharges and separate in the areas where we are still having issues. We will continue to keep the Board updated.

Commissioner Pappas

Can you send that article to us? I would have thought the sewer separation would have handled the issue better.

Director Fauteux

I don't want to quote Manchester but they have three phases and I think they are still in phase I. It's a huge amount of money, about \$400 million. I think they have one small section of the city that's been separated but they still have a lot to do. It's everybody's goal to eliminate CSO discharges. Whether we will be able to ever do that completely I'm not sure but time will tell.

MOTION CARRIED: Unanimously

- D. MOTION:** Commissioner Teas to approve the use of Sidewalk Quadrant Funds for NRPC to complete a Pedestrian and Bicycle Transportation Study for the total sum of \$14,500. Funding will be through Department: 160 Admin/Engineering; Fund: Trust; Account Category 53 Professional & Technical Services.

MOTION CARRIED: Unanimously

- E. MOTION:** Commissioner Pappas to approve change order #2 with Thibeault Corporation of Manchester, NH, for the amount not-to-exceed \$20,000 for roadway improvements on Marshall Street. Funding will be through Department: 169 Wastewater; Fund: Wastewater; Activity: CSO Flooding.

MOTION CARRIED: Unanimously

- F. MOTION:** Commissioner Moriarty to approve a change order with Sunshine Paving Corporation of Hudson, NH, for the amount not-to-exceed \$300,000 for the paving of additional roadways. Funding will be through: Department: 161 Street; Fund: Bond; Activity: Paving; and Department: 169 Wastewater; Fund: Wastewater; Activity: Sewer Structures.

Discussion:

Mr. Pete Kohalmi, Deputy City Engineer

Sunshine Paving has been one of our two paving contractors this year. They have done a good job for us and are looking for more work. With your approval, they would be more than happy to pave some more streets in the city. Some of the streets are leftover from last year and some are streets we wanted to do this year and were left out of the original contract.

MOTION CARRIED: Unanimously

G. MOTION: Commissioner Moriarty to consider a hardship request from Michelle Rodriguez to excavate for installation of sewer, water and gas services for a proposed four-lot subdivision at 711 West Hollis Street approved by the Planning Board on March 21, 2019. (Tabled April 25, 2019, and July 30, 2019)

Discussion:

Commissioner Ackerman

The last time the Board met together, the City Engineer, Mr. Dookran asked us to take this off the agenda. Have there been any developments to this since the last time we met?

Director Fauteux

There should be a letter from Mr. Maynard. He did come in and met with Engineer Dookran and there is a letter stating his client's position.

Mr. Pete Kohalmi, Deputy City Engineer

They have agreed to abide by the ordinance and restore the road as required. There is a letter from Mr. Maynard, P.E. and a few days ago he sent another letter which was dated August 19th. We gave the applicant the option of taking out a five-year bond as additional security for the work on West Hollis Street in an effort to put the Board at ease. The applicant has decided to reject that offer. They believe simply following the ordinance should be adequate to restore the road.

Commissioner Moriarty

Is it the opinion of the Engineering Department for this not to go forward?

Director Fauteux

I think it's up to the Board to consider whether this is a hardship or not. We don't really like to see anyone cutting into our streets, as you don't. I don't know that we have an opinion. There are about two years left on the moratorium. It's a four-lot subdivision that they are asking to put in. It's helpful when the applicant is here to plead their case and they are not here.

Commissioner Ackerman

I thought that as part of the ordinance it was the right of the Board to request the applicant to do a bond to ensure we get adequate funding for bringing the road back up to speed. Wasn't that within our right?

Mr. Pete Kohalmi, Deputy City Engineer

That is correct.

Commissioner Ackerman

Okay, but they are choosing not to do that.

Mr. Pete Kohalmi, Deputy City Engineer

We are asking for an additional bond.

Director Fauteux

I'm not sure we have the authority to ask for the additional bond. I think that was an idea that was thrown out.

Commissioner Ackerman

Okay, so the commentary in this letter is relative to an additional bond.

Director Fauteux

Yes.

Commissioner Pappas

We discussed this at great length and it was just the Mayor...maybe last month...the first time I think we discussed this...I don't know if it was withdrawn last month or not because I didn't stay for the meeting. The first time it was just the Mayor, Commissioner Ackerman and myself and I think there might have been one of us for and one of us against, I can't recall. The Mayor didn't break the tie and it got put off. I've remained very consistent that I think residents are very upset over all of the road construction in the city. Not road construction so much as the condition of the roads and I stand by my very consistent view that we shouldn't be cutting into roads and decreasing the life of the roads. I didn't support it the last time it was in front of the Board and I won't support it this time.

Commissioner Ackerman

Just for clarity, it had never gone before a vote. It was tabled two months ago at the insistence of the Mayor because he requested that Mr. Maynard from Maynard Paquette

come into and speak to the Deputy Director, Andy Patrician and/or Mr. Dookran and he chose not to do that and that's why it was tabled again last month.

Alderman Jette

At the last meeting, I asked the City Engineer whether or not any consideration had been given by the landowner to instead of cutting into West Hollis Street...the property abuts Norma Drive and there's a vacant lot. Norma Drive intersects with West Hollis Street there is a landscaped area and I asked if they could connect the sewer through Norma Drive.

Mr. Pete Kohalmi, Deputy City Engineer

It's more than the sewer, it's also gas and water that they need to tap into.

Alderman Jette

There's no gas or water on Norma Drive.

Mr. Pete Kohalmi, Deputy City Engineer

I'm not sure Alderman Jette.

Alderman Jette

I believe there probably is.

Commissioner Pappas

I didn't recall why it was tabled, I thought we were at a standstill.

Commissioner Ackerman

Director Fauteux, I think it would be prudent and wise to seek direction from the City Engineer's office. Does the City Engineer's office have concerns relative to their ability to put the road back into shape the way the ordinance is written?

Mr. Pete Kohalmi, Deputy City Engineer

They did promise to hire an outside testing consultant at their expense. That would be helpful to ensure the road is properly restored.

Commissioner Teas

I don't necessarily see a hardship here and I would not be in favor of supporting this.

Alderman Jette

Since Mr. Dookran, Mr. Maynard, and the landowners are not here, I am wondering if they are under the impression that a deal had been reached?

Director Fauteux

No.

Alderman Jette

Would it be appropriate to table it once again?

Director Fauteux

It's certainly up to the Board but I wouldn't. I can tell you that Engineer Dookran will say we don't really have a position and it's up to the Board to decide if it's a hardship. We don't like to see roads cut into because it deteriorates them at a much faster rate even when they are patched. Mr. Maynard was invited tonight and he declined to attend because he didn't want to spend any more of his client's money. The applicants knew this was going to be on the agenda and they didn't come. We've been talking about this for an awfully long time and I think it's time to take some action.

MOTION FAILED: Unanimously

H. MOTION: Commissioner Moriarty to approve the hardship request from Liberty Utilities for excavation to repair four Grade 2 leaks located at 2 Amble Road,
7 Manchester Street, 28 Vieckis Drive, and 121 Lille Road.

Discussion:

Mr. Brian Frost, Representative from Liberty Utilities

I regret to have to back here as I was here in the spring because of our winter leak surveys. Liberty Utilities respectfully requests a hardship to repair these gas leaks in an expedient manner. There is a company we feel should repair our leaks for the safety of the public and to comply with applicable pipeline safety regulations. We've identified the four locations that are on the agenda.

Director Fauteux

We would support this as well. If there are leaks they have to be repaired.

Commissioner Pappas

What is the difference between a Grade 1 and Grade 2 leak?

Mr. Frost

A Grade 1 leak is a leak under the pipeline safety rules and is considered a hazardous leak, it's immediately hazardous so it's something that once is discovered the gas company cannot leave it. An example would be gas detected at a person's house, either in their foundation or inside their house. We would never leave that no matter what. A Grade 2 leak is a leak that is typically in the street in proximity to houses. That would be something which we could schedule a repair for but would repair it as soon as possible. It's required to be repaired within a year but we would typically wait for warmer weather but we would monitor it. When we could affect a quality paving repair we would dig it. If it got worse we would reclassify it as a Grade 1 and repair it immediately.

MOTION CARRIED: Unanimously

- I. **MOTION:** Commissioner Teas to approve Eversource Pole License Petitions: 21-1407, 21-1415.

MOTION CARRIED: Unanimously

Administration

A. Director's Report

- A lot of the ramps on Kinsley Street have been upgraded by Newport Construction and we now have ADA compliant ramps. The sidewalks are not all ADA compliant but at this point the ramps are. We will be paving Kinsley Street on the 26th.
- The next slide is a picture of water and sewer mains being replaced on Warren Street.
- There is sewer work going on citywide, this is work being done on the corner of Allds and Harvard Streets. About 4,400 feet of sewer pipe has been replaced and 23,000 feet of sewer pipe has been lined to date. We have also replaced about 72 catch basins and manholes.
- This was a sewer replacement at the Masonic Building on Main Street. The work was done by Chris Contracting. The sewer lateral needed to be repaired as a responsibility of the owner.

Alderman Jette

We had a nicely paved Main Street and now it's all beat up. Is that all going to be fixed?

Director Fauteux

Our plan is to pave Main Street next year. All trench restorations that have not been completed will be. It is a mess and it needs to be paved. It wasn't originally on the list but given all of the cuts, we are planning to pave it.

Alderman Jette

Are the pieces of metal going to be removed?

Director Fauteux

Yes, they are.

- This is a new sewer pipe on Charles Street where a pipe from 1886 had collapsed. This street will be reclaimed and paved in September.
- The Thornton Road playground has been removed and we are working on installing some new equipment. We have a space net and two wind structures going in. We are hoping to have the work done by the end of September.
- The Al Savage basketball courts at Vietnam Veteran's Park on Ledge Street have been painted by Vermont Recreational Surfaces.

Alderman Jette

It looks pretty but every time it rains there is a big puddle and it's unusable for several days. Can that be fixed?

Mr. Caggiano

In order to make our funds go as far as we could we did a little work in-house and after it was completely done we realized we had to do a little more shimming and possibly do a little bit more drainage work and that's currently being discussed with the Superintendent of Streets.

- We had skateboard camp with Nolan Munroe who is a Bronze medalist from the X-Games and it was very successful. The kids and parents were very happy and are looking forward to working with Nolan again next year.
- This is a new granite bench. The Morin Family donated this bench to the Nashua Country Club and they wanted it moved to Roby Park at the Jeff Morin Playground.
- This is a picture of plantings at the Broad Street round-a-bout. It looks very fabulous. It's sustainable plantings that we don't have to weed or mow.
- Community Development purchased the river fountains and are hopefully going to install them on August 26th.
- These are some PAL members enjoying a fun day of fishing at the dock at Sandy Pond.

- We had a Battle of the Badges between the police and fire departments at Holman Stadium on July 25th and the fire department won this year. The charity event helps raise funds for PAL.
- Our Brewfest was a huge success. We had an estimated 2,700 people in attendance and the estimated revenue was about \$60,000 and 70% of that will go to PAL and the rest will go to fund next years' event.
- The Community Church of the Nazarian held their annual Give Back Sunday event on August 4th and they constructed 20 picnic tables for us and stained the guardrail on Shady Lane. There are a very nice group of people and it was much appreciated. The tables might be used by the School Department for their summer lunch program but we are not quite sure how we are going to use them.
- The crews removed four trees on East Dunstable Road as part of the sidewalk project in that area. The sidewalks will be installed in the next month.
- We are working on our red school zone crosswalks. We only have a few left and will be completed in time for school to start next week.
- We had a failed sewer main on Vine Street which created a sinkhole and we made the necessary repairs.
- Economic Development purchased all of the wayfinding signage but didn't have enough money to install them so Public Works is installing them. We about $\frac{3}{4}$ of the way done.
- We are finishing work on the Broad Street sidewalk project.
- We had some drainage problems at 422 Main Dunstable Road and we excavated some high area and adjusted the grade down a little bit so the water will run off the side of the road.
- We finally fixed the rail crossing on Charron Avenue. The railroad has been much easier to work with as of late and we appreciate that.
- The existing sidewalk on Ledge Street across from the basketball courts in Lajoie Field was really deteriorated so we demoed that and paved new berm and sidewalk which also helped with a drainage issue we were having.
- We are removing some existing sidewalk on East Hollis Street near the fire station in preparation of the installation of a new curb and sidewalk. This is one of three big sidewalks we undertook this year, one being Broad Street and East Dunstable Road.

- We had a motor vehicle damage a retaining wall at the Amherst Street fire station and repaired the wall and the asphalt behind it.
- This is a bad patch of pavement in front of 9 Clergy Drive which was repaired.
- The Street Department repaved the entrance to the landfill after the new gate was installed.
- This is a picture of the chlorine content chambers that we have at the wastewater treatment plant. During the spring, summer, and fall we take down the tanks for routine cleaning and maintenance.
- We have two CAT generators for our Energy Recovery Project which will hopefully be producing power again from the methane we generate.
- I'd like to thank the Nashua Lions Club for honoring DPW Employee of the Year, Matt LeBlanc who is a Solid Waste foreman. It was very well-deserved. He is very dedicated and his primary responsibility is the landfill. He is also a snow roof foreman and always one of the first people to arrive and one of the last to leave. I had the pleasure of working with him when I was at Solid Waste so it almost feels like he's one of my kids and it's such a well-deserved honor. It was a great honor for public works to have an employee recognized like that.
- We've been doing a lot of work at the landfill building on our Phase III landfill and it's a tremendous amount of work. Charter is doing a good job although we've had a few hiccups with groundwater levels and DES requiring things that we weren't expecting but we are getting through it.
- The next Regional Household Hazardous Waste Collection will be in Pelham on August 24th from 8:00 a.m. to noon.
- The Four Hills Landfill and the Nashua Recycling Center will be closed on Monday, September 2nd in observation of Labor Day. All curbside collection that week will be delayed by one day.

Commissioner's Comments

Commissioner Pappas

I have a few suggestions for Park & Recreation Department. I know that we were waiting for the crosswalks at Greeley Park to be painted. I know we had the special green painting that was there and whatever we had was kind of expensive so we are thinking about what we are going to do. We lost it due to paving Concord Street. I am wondering, I don't know how expensive it is to temporarily just paint them red. People who drive by there all the time are aware of it but just having that little white paint...and also the crosswalk looks much narrower when there is no paint in the middle.

Director Fauteux

It's a great point and we do recognize that. We are putting in the XD crosswalks like the others on Concord Street so they will match. They used to be green but I think we are going to go with the red that we have only because we feel like it better meets MUTCD (Manual on Uniform Traffic Control Devices) guidelines. We are about four to six weeks from that but in the interim, we are going to paint them. For now, we will paint white lines and then put in the XD patterns. I'll make sure that happens right away.

Commissioner Pappas

I was saddened to hear that Manchester closed a couple of their pools because they didn't have enough lifeguards. As the mother of lifeguards, once you get your lifeguard training it's hard to find the recertification process. My second son took a second lifeguard training class. Merrimack hosts one in June. Does Parks & Recreation keep a record of when their folks are up for renewal? For example, Southern New Hampshire University will offer recertifications a lot.

Director Fauteux

He has a pretty robust program for recertification.

Mr. Caggiano

We recognize that and it's a big thing to get and keep lifeguards. We start them in high school. We have a summer camp program through the swim instructor at the high school, it's called Guard Start. We can pretty much guarantee that they will have a job through high school and college. We have two pool coordinators, Mr. Allen, and Ms. Parolyn. We certify all of our guards as they come up just as a way to keep them. By doing that the guards don't have to pay the fee and that's how we attract and keep more guards. We pay our guards a little bit more but it is still a struggle every year.

Commissioner Pappas

I'm really glad to hear that you are up and running on that.

Mr. Caggiano

Tomorrow is the final day for the last two pools because the kids go back to school next week. Even through the hot-spell, we were able to switch around schedules and get extended pool hours.

Commissioner Teas

I agree 100% regarding the crosswalk at Greeley Park and I am wondering if we could consider sacrificing one parking spot on either side or maybe two to not allow cars, specifically trucks to park right where the walk light comes into the sidewalk. So often little kids take that first step out even though the parents are making their best efforts to hold onto them and you cannot see them.

Mr. Caggiano

Before they did the paving, where the crosswalk came through, on each of the four corners there was a hash so you couldn't pull right up to the crosswalk. I think when the new ones get put in they are going to properly repaint them so you are not allowed to get your bumper right up to the edge.

Director Fauteux

That's a good point.

Commissioner Ackerman

Director, since we have had public comment in the last month or two from a couple of Ward 5 residents regarding the West Hollis Street and approaching the light after the charter school on the right, whether or not we have done any follow-up discussions relative to the turnbuckle on the road. Have we done any internal discussions as of yet? One of my thoughts is that I see it as a big improvement from where we were three or four years ago because people used to race right up to the edge of the bottom of Ledgewood Hills and just move over to the right. Is it possible to consider putting breakable cones where the jug-handle is to absolutely make them slow down and move over to the right as opposed to what we currently have?

Director Fauteux

We could consider that but it would be awful for plowing purposes. There was a lot of discussions before those changes were made and there were people on both sides. We consulted with a number of traffic engineers, including our own. We brought the lead traffic engineer from DOT in and what exists now is what they thought was the best scenario in terms of safety. Whenever traffic is merging it's never a good situation because you are always going to get that jockeying for a position. Unfortunately, it's bad driver behavior and maybe a little bit more enforcement might help. Anytime you change a traffic pattern like that is when accidents happen. We have been closely watching it and we have had fewer accidents than we had before, in fact, accidents are way down which would indicate that it is a safer solution than what existed before. People do race up and down West Hollis Street, you are correct. We could look at some other things but I would be reluctant to change now because I would be afraid we would have more accidents. People have become accustomed to that traffic pattern now. There's no easy solution to that.

Commissioner Ackerman

Just a follow-up observation, not a criticism, as you are coming down Wellesley Street where the traffic light is and you are taking a left onto West Hollis Street people are racing up and down the street and they go right through the red light. Is it possible or wise to ask

the Traffic Department to perhaps put in an additional delay before the light turns red? I think there might be some type of safety enhancement.

Director Fauteux

We certainly could do that but I've had a lot of complaints that the light on Wellesley Street stays red for too long.

Commissioner Ackerman

I'm saying to keep it red a little bit longer after the red light on West Hollis Street engages. So do not let it change to green as quickly as it does.

Director Fauteux

We can do that but it will create delays both in terms of West Hollis Street and...

Commissioner Ackerman

Yes, I understand that but one person's life means a lot to me.

Director Fauteux

It could be done.

Personnel

A. MOTION: Commissioner Teas to accept the resignation of Roslyn Ntellas effective August 23, 2019.

MOTION CARRIED: Unanimously

B. MOTION: Commissioner Teas to abolish the position of Administrative Assistant I at the Solid Waste Department and replace it with an Administrative Assistant II position.

MOTION CARRIED: Unanimously

C. MOTION: Commissioner Teas to unseal the minutes for Personnel from the Board of Public Works Meeting of July 30, 2019.

MOTION CARRIED: Unanimously

D. Non-Public Session

MOTION: Commissioner Teas moved by roll call that the Board go into a non-public session pursuant to RSA:91-A §3 2(b) the hiring of any person as a public employee.

A Viva Voce Roll Call was taken, which resulted as follows:

Yea: Commissioner Ackerman, Commissioner Pappas, 4
Commissioner Moriarty & Commissioner Teas

Nay: 0

MOTION CARRIED: 4-0

MOTION: Commissioner Teas to seal the minutes of the Board of Public Works non-public session of August 22, 2019, until such time as the majority of the Board votes that the purpose of the confidentiality would no longer be served.

A Viva Voce Roll Call was taken, which resulted as follows:

Yea: Commissioner Ackerman, Commissioner Pappas 4
Commissioner Moriarty & Commissioner Teas

Nay: 0

MOTION CARRIED: 4-0

MOTION: Commissioner Teas to come out of non-public session.

A Viva Voce Roll Call was taken, which resulted as follows:

Yea: Commissioner Ackerman, Commissioner Pappas, 4
Commissioner Moriarty & Commission Teas

Nay: 0

MOTION CARRIED: 4-0

Adjournment

Commissioner Teas made a motion to adjourn.

MOTION CARRIED: Unanimously

Meeting adjourned at 7:01pm